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Paper No. 17

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OFFICE OF PETITIONS

In re Application of

Britton

Application No. 09/412,993

Filed: October 5, 1999

Attorney Docket No. R0027

For: PROVIDING AUDIENCE FLOW IN A
PERSONAL TELEVISION DEVICE

DECISION NOTING JOINDER OF
INVENTOR AND DISMISSING
PETITION UNDER 37 CFR 1.47(B)
AS MOOT

&
DECISION GRANTING
PETITION UNDER 37 CFR 1.137(B)

This decision addresses the reconsideration petitions under 37 CFR 1.47(b) and 37 CFR 1.137(b), both filed October 14, 2003 in the same paper.

On November 1, 1999, the Office mailed a Notice to File Missing Parts of Nonprovisional Application, which set forth an extendable two (2) month period to submit an executed oath or declaration, filing fees, and a \$130.00 surcharge under 37 CFR 1.16(e) for their late filing. No response was received. Thus, this application became abandoned on January 2, 2000.

Papers filed on October 14, 2003 included a declaration signed by the previously nonsigning inventor, Layne Britton, in compliance with 37 CFR 1.63.

In view of the joinder of the inventor, the reconsideration petition under 37 CFR 1.47(b) is dismissed as moot; this application does not have any rule 1.47(b) status and no such status should appear on the file wrapper. This application need not be returned to this office for any further consideration under 37 CFR 1.47(b).

With respect to the reconsideration petition under 37 CFR 1.137(b), petitioner has submitted a reply in the form of a proper declaration, an acceptable statement of the unintentional nature of the delay in responding to the November 1, 1999 Notice to File Missing Parts of Nonprovisional Application, and the petition fee.

The petition under 37 CFR 1.137(b) is granted.

This application will be returned to the Office of Initial Patent Examination for further processing.

Telephone inquiries should be directed to the undersigned at (703) 308-6712.

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Office of Petitions